CLAIM AMENDMENT

Please amend the claims as follows:

1) (Currently amended) A promoter comprising an isolated polynucleotide sequence selected from the group of polynucleotide sequences consisting of:

a) a polynucleotide sequence comprising the sequence of SEQ ID NO:4;

b) a polynucleotide sequence comprising a fragment of the sequence of SEQ ID NO:4 with promoter function;

c) a polynucleotide sequence which exhibits a percentage identity of between about 70% identity and 79% identity with the sequence of a) ~~or b)~~;

d) a polynucleotide sequence which exhibits a percentage identity of between about 80% identity and 89% identity with the sequence of a) ~~or b)~~ and;

e) a polynucleotide sequence which exhibits a percentage identity of between about 90% identity and 99% identity with the sequence of a) ~~or b)~~

wherein the promoter is operably linked to a transcribable polynucleotide molecule.

2) (Original) A construct comprising the promoter of claim 1, wherein said promoter is operably linked to a transcribable polynucleotide molecule operably linked to a 3' transcription termination polynucleotide molecule.

3) (Original) The construct of claim 2, wherein said transcribable polynucleotide molecule is a gene of agronomic interest.

4) (Original) The construct of claim 2, wherein said transcribable polynucleotide molecule is a marker gene.

5) (Original) A transgenic, seed-producing dicotyledonous plant stably transformed with a construct comprising the promoter of claim 1, wherein said promoter is operably linked to a transcribable polynucleotide molecule operably linked to a 3' transcription termination polynucleotide molecule.

6) (Original) The transgenic dicotyledonous plant of claim 5, wherein said plant is a dicotyledonous plant selected from the group consisting of tobacco, tomato, potato, peanut,

soybean, cotton, canola, rapeseed, safflower, flax, sugarbeet, *Arabidopsis*, Brassica, sunflower, and alfalfa.

7) (Original) The transgenic dicotyledonous plant of claim 5, wherein said transcribable polynucleotide molecule confers altered oil content in the seed to said transgenic plant.

8) (Original) The transgenic dicotyledonous plant of claim 5, wherein said transcribable polynucleotide molecule confers altered protein quality in the seed to said transgenic plant.

9) (Original) The transgenic dicotyledonous plant of claim 5, wherein said transcribable polynucleotide molecule confers altered micronutrient content in the seed to said transgenic plant.

10) (Previously presented) A seed of said transgenic plant of claim 5, wherein the seed comprises said construct.

11) (Canceled)

12) (Original) Meal from said transgenic plant of claim 5.

13) (Original) A method of making a vegetable oil and meal, comprising the steps of: a) incorporating in the genome of a dicotyledonous seed producing, oil-containing plant a promoter according to claim 1 operably linked to a transcribable polynucleotide molecule conferring altered oil content; b) growing the dicotyledonous plant to produce seeds; and c) extracting oil from the seed to produce extracted oil and meal.